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BEFORE THE ARIZONA CORPORATION COMMISSION

**COMMISSIONERS**

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CLERK OF COMMISSION  
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QWEST CORPORATION,

Complainant,

v.

MCLEODUSA TELECOMMUNICATIONS  
SERVICES, INC. dba PAETEC BUSINESS  
SERVICES.

Respondent.

DOCKET NO. T-03267A-09-0307

DOCKET NO. T-01051B-09-0307

**ANSWER**

McLeodUSA Telecommunications Services, Inc. d/b/a PAETEC Business Services ("PAETEC") files its Answer to the Complaint filed by Qwest Corporation ("Qwest"). In support of its Answer, PAETEC states:

1. PAETEC admits the allegations in the first sentence of paragraph 1. PAETEC denies the allegations in the second and third sentences in paragraph 1. PAETEC neither admits nor denies the last sentence in paragraph 1.

2. Upon information and belief, PAETEC admits the allegations in paragraph 2.

3. PAETEC admits the allegations in paragraph 3.

4. PAETEC admits the allegations in paragraph 4.

5. PAETEC admits the allegations in paragraph 5.

6. PAETEC neither admits nor denies the information in paragraph 6.

7. PAETEC admits that the Commission has jurisdiction over Qwest's complaint and over PAETEC. The referenced statutes speak for themselves.

Arizona Corporation Commission

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1           8.       PAETEC admits it assesses a wholesale service order charge each time Qwest  
2 submits a Local Service Request to PAETEC, which Qwest does when an existing customer of  
3 McLeodUSA has made the decision to become a Qwest customer. PAETEC admits the remaining  
4 allegations in paragraph 8, except that PAETEC affirmatively alleges that the tariff at issue was  
5 filed with the Arizona Corporation Commission on March 2, 2004 and became effective on April  
6 1, 2004.

7           9.       PAETEC denies the allegations in paragraph 9.

8           10.      PAETEC denies the allegations in paragraph 10.

9           11.      PAETEC denies the allegations in paragraph 11.

10          12.      PAETEC admits the parties reached a settlement agreement. PAETEC denies the  
11 remaining allegations in paragraph 12.

12          13.      PAETEC admits the allegations in paragraph 13.

13          14.      PAETEC admits the allegations in the first sentence of paragraph 14 and further  
14 states that Exhibit B is a true copy of the Amendment and that the Amendment speaks for itself.

15          15.      PAETEC admits it assesses the wholesale service order charge each time Qwest  
16 submits a Local Service Request to PAETEC, which Qwest does when an existing customer of  
17 McLeodUSA has made the decision to become a Qwest customer.

18          16.      PAETEC denies the allegations in paragraph 16.

19          17.      PAETEC denies the allegations in paragraph 17.

20          18.      PAETEC admits the allegations in paragraph 18.

21          19.      PAETEC admits the allegations in paragraph 19 that Qwest charges McLeodUSA,  
22 in part, to process a Local Service Request order when McLeodUSA submits an order to lease an  
23 unbundled loop that is charged by Qwest pursuant to the ICA at rates approved by the  
24 Commission. McLeodUSA denies the remaining allegations in paragraph 19.

25          20.      McLeodUSA denies the allegations in paragraph 20.

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21. PAETEC admits that the document attached as Exhibit C to the Complaint is an order of the Minnesota Public Utilities Commission. That order speaks for itself and PAETEC denies any inconsistent interpretation of that order.

22. PAETEC admits the allegations in paragraph 22.

23. PAETEC provides the same responses as set forth in paragraphs 1-22.

24. The statements in paragraph 24 are allegations of law, not of fact, and the cited statute speaks for itself. To the extent that any of these statements can be construed as an allegation of fact, PAETEC denies those allegations.

25. PAETEC provides the same responses as set forth in paragraphs 1-24.

26. The statements in paragraph 26 are allegations of law, not of fact, and the cited statute s speak for themselves. To the extent that any of these statements can be construed as an allegation of fact, PAETEC denies those allegations.

WHEREFORE, PAETEC denies that Qwest is entitled to the relief requested and respectfully submits that the Commission should deny Qwest's Complaint.

RESPECTFULLY SUBMITTED this 1<sup>st</sup> day of July 2009

ROSHKA DEWULF & PATTEN, PLC

By



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Attorneys for McLeodUSA Telecommunications, Inc. dba PAETEC  
Business Services

Original and 15 copies of the foregoing  
filed this 1<sup>st</sup> day of July 2009 with:

Docket Control  
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1 Copy of the foregoing hand-delivered/mailed  
this 15<sup>th</sup> day of July 2009 to:

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